

## NEW-YORK TRIBUNE.

## LAW COURTS.

Court Calendar...  
This Day.COMMON PLEASE—Nos. 442, 443, 447, 448, 449,  
450, 472, 474, 486, 487.  
COURT OF COMMON PLEAS—Nos. 44, 265, 302, 188, 224,  
263, 184, 276, 285, 32, 9, 233, 52, 311.  
SUPERIOR COURT—Nos. 48, 509, 19, 18, 16, 43,  
182, 186, 52, 166, 194, 195, 7, 62, 108, 172, 180, 14, 76, 191,  
28, 21, 157, 502, 54, 115, 211, 212, 243, 214, 215, 216, 217, 218,  
219, 220, 221, 222, 223, 224, 225.  
SUPREME COURT—Special Term.—No. 70, 76.  
The passed cause will be again called at no definite  
time.

Supreme Court—Tuesday, April 21.

Special Term—Before Judge Edmunds.

Decisions to be made public by the Courts under  
the late John Mason, deceased.

Isaac and George Jones, executors, etc., against

Joseph Eaton and wife, Eliza, daughter of Mr. M.—There

are reasons, the Court said, why the legatees to products from

converting trusts cannot be restrained, "Mr. and Mrs. Eaton

have not set up any claim to the trust, and the Court

said on April 24, the proceedings ought to be enjoined in no

respect unless an inquiry into the merits of the former judgment,

and they are sustainable, or if they are not, and the Court

judges that the trust ought to be restrained, then the Court

ought to make a decree to restrain it, and the Court

said a trust in favor of the plaintiff in that suit. For the purpose

these defendants were not necessarily parties—a trust of James

Mason might have been created for the benefit of his wife, and

a trust in favor of his wife, and might have been set aside as

to him and yet retained and supported as to her.

The proceedings before the Parcels, who were in the case,

and the Trustees, simply the question of

the execution of the will and the want of James Mason

simply the validity of a trust under

the Statute of Frauds.

In the matter of Isaac and Geo. Jones, Trustees,

of the Estate of Hein—Two petitions the Court, are presented,

one by Ms A, for the removal of Masters, L and J as Trustees,

and that they be directed to pay the amount of their

trustee fees to the estate account.

The petition asking the removal of the Trustees ought to be granted,

and order is made accordingly. The Trustees retain the

amount of their fees, and the amount of their trustee fees

and require \$600 per year, as living Trustees, as when she states,

the Trustees of her own apartment, to meet, without compensation.

Referred to the accounts—also as the trustee of the

trustee fees, and the one per cent interest, and as the

shares of expenses.

Isaac and George Jones against Jas. Mason

As to James, the Court said, he was a different person

and had no right to sue for day—by the defendant in

his former suit had every opportunity to contest the execution of his

father's will without asking any expense.

The Trustees must be restrained, and the Court

said the action of the Trustees ought to be restrained,

and the consequences must fall upon him.

Petitioning injunction ordered, with costs.

Supreme Court—Monday, April 21.

Before Judge Mitchell.

Richard Patrick, etc., against John H. Rigby

and Ross—Plaintiff, etc., for the sum of \$4000, to be paid

to Mr. R., on the ground that Mr. Rigby made an assignment

to Mr. Ross, the assignee for the payment of debts

and expenses, and that the assignee did not pay the same.

Should not the assignee be held responsible?

The Court held the assignment, in consequence,

to be null and void, and the Rigby brought in a writ, under

his direction, to that effect, and bidding for plaintiff in amount—

As appeal will be taken by defense.

Superior Court—Monday, April 21.

Before Judge Mason.

John K. Weed agt. Harlem Railroad Co.—Mr.

Weed in Oct. 1849 was knocked down as he was crossing Astor Place, and was severely injured, and died a few days later.

He was then one of the Hartman drivers, and was

about six or eight weeks.

He was passing at the time, the horses at a speed of ten or twelve

miles an hour, and the horses were running at full gallop, and the driver was compelled to make the man stop, so as to

make the driver to come to the side of the street in order to avoid it, and by

the man ran over Mr. W. He brings action against the Company

for damages, and the amount of \$1000. The Company deny that they

are liable.

[To be continued this forenoon.]

Before Judge Sandford.

James M. Hood, against Manhattan Fire Ins.

Mr. Hood was injured \$700 on a hansom cab

in a day, and the same set off for the hospital, and

had not yet been put together, to the amount of \$4000, for which

this action is brought. The defense is, that the insurance was

not paid, and that the company did not pay the amount of the

insurance, and the same was called as a witness. The Judge

for the day, recited to his recollection, No man is amenable to duty

and has any interest, whatever, in the conduct of business, to

produce, but those who do, a man is bound to do his duty.

The case of Willis against Forrest, was called,

but put off for the term.

But the defense called to their names, out of 105 summoned.

The Judge ordered the absent Jurors to be fined \$500 each, with

notice that they would be called for every day they did

not attend to their duty, and that the same would be

continued to the next day, as he is an employee, he said, and he pleased to

say that he could not stop, and another would get his place.

The Judge recited to his recollection, No man is amenable to

duty and has any interest, whatever, in the conduct of business,

to produce, but those who do, a man is bound to do his duty.

The case of Willis against Forrest, was called,

but put off for the term.

Before Judge Ingraham.

Leonard Hunt against Lucius E. Buckley—To

be tried on a charge of assault and battery.

John H. Rigby was brought on an indictment

by the alleged master, Mr. Clegg, by whom he was taken, at his Con-

test. Mr. Clegg was assigned as his counsel, and he pleaded to

guilty. The trial was set down for Thursday.

SPECIAL TERM—Before Judge Woodburn.

George W. Kirk against Rachel Ann Kirk—

Defense granted.

Court of Common Pleas—Monday, April 21.

Before Judge Edmunds and Ald. Kelly and Morgan.

Assault and Battery, with Intent to Kill.

A young man named Michael Smith was placed on trial, charged with

assaulting Oliver Parker, of the Thirteenth Ward Police, and

attempting to take his life. It appeared, evidence to the contrary

was given, that Parker was a detective, and that the

officer requested him to descend and leave the ground, he, however,

did not descend, and the same failed to be good and legitimate. The cause

for the Jury was, whether the payment of \$50 to another

holder, and the same being delivered to the same, was sufficient to

constitute a word in favor of plaintiff for \$10, being full amount.

SPECIAL TERM—Before Judge Woodburn.

George W. Kirk against Rachel Ann Kirk—

Defense granted.

Court of Oyer and Terminer—April 21.

Before Judge Edmunds and Ald. Kelly and Morgan.

Assault and Battery, with Intent to Kill.

A young man named Michael Smith was placed on trial, charged with

assaulting Oliver Parker, of the Thirteenth Ward Police,

and attempting to take his life. It appeared, evidence to the contrary

was given, that Parker was a detective, and that the

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holder, and the same being delivered to the same, was sufficient to

constitute a word in favor of plaintiff for \$10, being full amount.

SPECIAL TERM—Before Judge Woodburn.

George W. Kirk against Rachel Ann Kirk—

Defense granted.

Court of General Sessions—Monday, April 21.

Before the Recorder and Ald. Kelly and Morgan.

Assault and Battery, with Intent to Kill.

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assaulting Oliver Parker, of the Thirteenth Ward Police,

and attempting to take his life. It appeared, evidence to the contrary

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constitute a word in favor of plaintiff for \$10, being full amount.

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holder, and the same being delivered to the same, was sufficient to

constitute a word in favor of plaintiff for \$10, being full amount.

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holder, and the same being delivered to the same, was sufficient to

constitute a word in favor of plaintiff for \$10, being full amount.